

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

MAY - 4 2005

FILED  
CLERK'S OFFICE

**DOCKET NO. 1334**

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**  
**IN RE MANAGED CARE LITIGATION**

*Donna Kent, et al. v. Guardian Life Insurance Co. of America, Inc., et al.*, D. New Jersey,  
C.A. No. 2:03-5171

**ORDER DEEMING MOTION MOOT  
AND VACATING THE MAY 26, 2005 HEARING SESSION**

Before the Panel is a motion by defendant Guardian Life Insurance Company of America, Inc. (Guardian) for transfer, pursuant to 28 U.S.C. § 1407, of this action (*Kent*) to the Southern District of Florida for inclusion in the coordinated or consolidated pretrial proceedings pending there before the Honorable Federico A. Moreno. Guardian has now advised the Panel that *Kent* was dismissed in the District of New Jersey by the Honorable Faith S. Hochberg in an order filed on April 29, 2005.

IT IS THEREFORE ORDERED that the motion for transfer under 28 U.S.C. § 1407 is DEEMED MOOT.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on April 20, 2005, are VACATED insofar as they relate to this action.

FOR THE PANEL:



Wm. Terrell Hodges  
Chairman

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U.S. DISTRICT COURT  
2005 MAY - 9 A 10:04

**A CERTIFIED TRUE COPY**

MAY - 4 2005

ATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

**UNITED STATES OF AMERICA**  
**JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**CHAIRMAN:**

Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**

Judge John F. Keenan  
United States District Court  
Southern District of New York

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Moiz  
United States District Court  
District of Maryland

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

**DIRECT REPLY TO:**

Michael J. Beck  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

Telephone: [202] 502-2800  
Fax: [202] 502-2888

<http://www.jpml.uscourts.gov>

May 4, 2005

William T. Walsh, Clerk  
Martin Luther King, Jr. Federal Building  
& United States Courthouse  
50 Walnut Street, 4th Floor  
Newark, NJ 07102

Re: MDL-1334 -- In re Managed Care Litigation

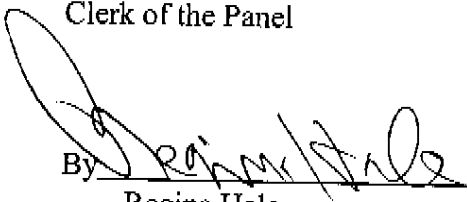
*Donna Kent, et al. v. Guardian Life Insurance Co. of America, Inc., et al.,*  
D. New Jersey, C.A. No. 2:03-5171

Dear Mr. Walsh:

I am enclosing a certified copy of an order filed today by the Panel involving the above-captioned matter.

Very truly,

Michael J. Beck  
Clerk of the Panel

By   
Regina Hale  
Calendar Clerk

Enclosure

cc: Transferee Judge: Judge Federico A. Moreno  
Transferor Judge: Judge Faith S. Hochberg  
Transferee Clerk: Clarence Maddox

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U.S. DISTRICT COURT  
2005 MAY -9 A 10:04